

REMARKS—General

The main argument concerns alleged similarities between Applicant's invention and Benevento's invention.

Benevento discloses a cap utilizing an evaporative cooling interior apparatus comprised of a plurality of elongated tapered porous liquid evaporating pads removably secured within the cap's interior in a spaced apart arrangement. A plurality of air passage channels are formed between the evaporative pads to promote air circulation about the pads within the cap interior. The pads are formed of a porous material having the capacity to absorb and retain a substantial quantity of liquid such as water. The pads preferably contact the user's head, including the forehead, and provide a cooling effect thereon as the liquid within the porous pads evaporates.

Benevento's invention is clearly directed at a device using the well known principle of evaporation as an air cooling means. In order for Benevento's device to work, one has to wet the pads with liquid (preferably water) and the ambient relative humidity has to be preferably at around 50% or lower for effective evaporation to occur. That is why evaporative coolers such as those used for dwellings are generally used in hot and dry climates as low cost alternatives to air conditioning.

Applicant's invention is not directed at using an evaporative principle and as such, cannot be compared to inventions using that principle. The mere fact that Applicant's invention mentions

the use of wedge shaped module being tapered in configuration does not make the invention similar to the "elongated tapered porous pads" of Benevento.

As stated in a previous reply, the way Benevento's pads are wedge shaped differs substantially from the way Applicant's pads are wedge shaped. In Benevento, the pads are positioned vertically and the wedge shape is not to vary the thickness of the pads but rather to make them narrower along their width so that they can fit into the upper part of a dome shaped cap. In Applicant's invention, however, the pads are positioned so that their longitudinal side runs along the headband of the cap and the thickness is what is tapered or wedge shaped which is the key element in the invention that makes the headband distance itself from the forehead of the user. This important element is stated in page 5, starting from line 12: "The tapered configuration of the wedge shaped modules (12) allow for the headband (20) of the hat or cap (22) to follow the contour of a user's head at the back and gradually distance the headband (20) from the head as it goes along the sides of the head until reaching the forehead (24) where the wedge shaped modules (12) end and the forehead clearing area (26) begins."

That is to say that the way the pads in Applicant's invention are installed inside a cap differs substantially than the manner in which they are installed in Benevento. In Benevento, it is not important that the forehead be cleared, in fact, Benevento requires that his pads make contact with the forehead so that evaporation can occur there as well.

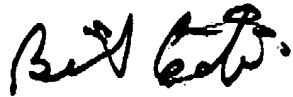
Because both inventions teach away from each other, it is only through a strained interpretation and through hindsight that Examiner saw fit to have Benevento teach this Applicant's invention.

Applicant concedes, however, that the way the claims were originally drafted, nuances in the configuration of the pads may not have been clear. Applicant has therefore amended claim one and has amended the specification so that it more closely matches with what is being shown in the drawings by better defining the wedge shaped modules as having a thick end and a thin end which defines their wedged shape. As such, the amendments to the specification do not constitute new matter and the claims are fully supported by the specification. Claim 5 has been canceled since the spongelike feature of the pads is not an important feature since it is already stated that the wedges are soft which is rather obvious for something that is to be in contact with skin.

Requests For Constructive Assistance

The undersigned has made a diligent effort to amend the claims of this application so that they define unobvious structure because it produces new and unexpected results. If for any reasons the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03(d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Benoit Côté". The signature is written in a cursive, fluid style.

Benoit Côté

Applicant pro se

Amended copy, marked-up

**FOREHEAD CLEARING APPARATUS FOR HATS, CAPS AND RELATED
HEADWEARS**

BACKGROUND OF THE INVENTION

Field of the invention

This invention relates generally to hats and caps and more particularly to a cap that keeps the forehead of a user free of contact with the cap so as to provide aeration to reduce perspiration.

Background

Although hats and caps are used to shield one's head from the harsh rays of the sun, they nonetheless create another problem which is that of added perspiration. Indeed, the lack of air circulation under the cap exacerbates the problem of perspiration.

Whereas moisture from perspiration would normally evaporate, once covered, it remains trapped and tends to accumulate, drip, and create discomfort for the user.

For this reason, over the years, a number of inventors have come up with novel ways to try to solve this problem. Early in the 20th century, as bowler hats were popular, a sweat band was adapted to fit the interior perimeter of the hat.

More recently a variety of means have been used to keep the front part of a hat's band away from the user's forehead. They include pads and projecting members or spikes. Other variations concentrate on simply having an absorbent material that provides a cooling effect with evaporation. More elaborate systems include a coolant reservoir and a network of pipes to provide a cooling effect by evaporation.

One inconvenience of system which push the front part of a cap forward is that the means for pushing the front part forward is pressed against the user's forehead which does not provide adequate ventilation, although there is improved circulation inside the hat because of the spacing provided.

Other inconveniences of the prior art involve the lack of flexibility, that is, once a cap or hat has the system it is part of the cap and not made to be repeatedly removed and reinstalled which could be a desirable feature since caps are also worn when ambient temperature is cool and there is no longer a need for increased aeration, in fact quite the opposite.

There is therefore a need for a practical and efficient means of providing aeration for a cap or hat.

SUMMARY OF THE INVENTION

It is a first object of this invention to provide for a simple and effective way of providing a cap with aeration.

It is a second object of this invention to provide for a system which can be taken out and taken in quickly.

It is a third object of this invention to provide for a system which can be installed easily and quickly inside existing hats and caps by the user without the need for tools.

It is a fourth object of this invention to provide for a system which truly clears a user's forehead with no contact whatsoever.

It is a fifth object of this invention to provide for a system which can be instantly customizable for adjusting the desired clear opening across a user's forehead according to need or preference.

In order to do so, the cap is fitted with a pair of wedge shaped modules comprising hook and pile strips wherein the pile strip has a peel and stick backing which is glued onto the headband of a hat or cap and the hook strip is permanently bonded to the wedge shaped module so that the wedge shaped modules are readily removable. The pile strips are substantially longer than the hook strips so that the wedge shaped modules can be positioned at different places along the pile strips so as to vary the

distance between each of the two wedge shaped modules in order to create the desired clear space across a user's forehead. The tapered configuration of the wedge shaped modules allow for the inside rim of the hat or cap to follow the contour of a user's head at the back and gradually distance the rim from the head as it goes along the sides of the head until reaching the forehead where the wedge shaped modules end and the forehead clearing begins. This reduces ungainly deformation of the hat or cap.

The foregoing and other objects, features, and advantages of this invention will become more readily apparent from the following detailed description of a preferred embodiment with reference to the accompanying drawings, wherein the preferred embodiment of the invention is shown and described, by way of examples. As will be realized, the invention is capable of other and different embodiments, and its several details are capable of modifications in various obvious respects, all without departing from the invention. Accordingly, the drawings and description are to be regarded as illustrative in nature, and not as restrictive.

BRIEF DESCRIPTION OF THE PREFERRED EMBODIMENT

FIG. 1 Top cutaway view of a cap showing the wedge elements installed.

FIG. 2 Top cutaway view of a cap showing the wedge elements removed.

FIGS. 3abc Top view of various lengths of wedge elements for use on small, medium, and large heads.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

A forehead clearing apparatus (10) has a pair of wedge shaped modules (12) which are comprised of hook and pile strips (14, 16) wherein the pile strip (14) has a means for bonding permanently onto a headband (20) -- which is a standard component on hats or caps (22) and defines the size of the hat or cap (22). One preferred means is a peel and stick backing (18) which is glued onto a headband (20). The hook strip (16) is permanently bonded to the wedge shaped module (12). By using hook and pile strips (14, 16) allows for the wedge shaped modules (12) to be readily removable (as per fig. 2) from the headband (20). The pile strips (14) are substantially longer than the hook strips (16) so that the wedge shaped modules (12) can be positioned at different places along the pile strips (14) so as to vary the distance between each of the two wedge shaped modules (12) in order to create the desired clear space across a user's forehead (24). The tapered configuration of the wedge shaped modules (12) allow for the headband (20) of the hat or cap (22) to follow the contour of a user's head at the back and gradually distance the headband (20) from the head as it goes along the sides of the head until reaching the forehead (24) where the wedge shaped modules (12) end and the forehead clearing area (26) begins. This reduces ungainly deformation of the hat or cap (22). According to the size of the wearer, various lengths are available with the accompanying pile strip (18) preferably substantially longer. The pile side of the pile strip (14) is comfortable to the wearer when the wedge shaped modules (12) are not in use such as when the temperature is cool. A simple adjustment of the headband (20), as found on most caps (22) can tighten the cap after

the removal of the wedge shaped modules (12). Elastic bands are also used on some caps or hats (22) to provide a variable degree of flexibility in the diameter of the headband (20). To provide additional comfort, the wedge shaped modules (12) have a soft corner (30) which can be a bevel or a rounded corner which provide for a softer contact on the forehead (24). The wedge shaped modules (12) are typically made of a semi rigid, spongelike or gellike core (32) with an outer shell (34) made with a soft material. Because of their semi-rigid core (32) [[the]] the wedge shaped module (12) can bend to follow the curve of the hat or cap (22) as well as of the wearer's head.

The the wedge shaped module (12) can be sold by themselves or integrated into hats or caps (22) at the manufacturing site of hats and caps (22) wherein the pile strip (14) could preferably be sewn in or glued and sewn or simply glued.

An acceptable clearing for the forehead (24) need rarely be above 5 inches wide and for children, it rarely need be narrower than 2 inches. The wedge shaped module (12) does not need to be more than about ½ inch at its thickest part and rarely more than 1 inch wide. As can be seen in the drawings, the wedge shaped module (12) are positioned lengthwise along the headband (20) and have a thick end and a thin end which defines their wedged shape. The wedge shaped modules follow the contour of a user's head from the back where the thin end of the wedge shaped module (12) is located and gradually distance the headband (20) from the head as the wedge shaped modules (12) go along the head, leading to the wedge shaped modules' thick end, reaching the forehead where the wedge shaped modules (12) end.



Benoit Côté, RCE, "Forehead clearing apparatus for hats, caps and related headwears"

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